

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SUSAN PINSKY,	:	ECF
	:	
Plaintiff,	:	07 Civ. 3328 (CM) (HP)
	:	
- against -	:	<b>REPLY AFFIDAVIT OF</b>
	:	<b>FREDERIC L. LIEBERMAN</b>
JP MORGAN CHASE & CO.,	:	<b>IN FURTHER SUPPORT OF</b>
	:	<b>DEFENDANT'S MOTION</b>
Defendant.	:	<b><u>FOR SUMMARY JUDGMENT</u></b>

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STATE OF NEW YORK     )  
                                  ) SS.:  
COUNTY OF NEW YORK    )

FREDERIC L. LIEBERMAN, being duly sworn, deposes and says:

1. I am an Assistant General Counsel in the JPMorgan Chase Legal and Compliance Department, attorneys for JPMorgan Chase Bank, N.A. ("Defendant" or the "Bank"), the Defendant in this action, incorrectly named as JP Morgan Chase & Co.

2. I am familiar, based on personal knowledge, information and belief, and/or the records of the Defendant, with the facts and circumstances hereinafter set forth. I make this reply affidavit in further support of Defendant's motion for summary judgment pursuant to Fed. R. Civ. P. 56(b).

3. After this action was commenced, in addition to the litigation documents that I served on and received from Plaintiff, I obtained a copy of Plaintiff's JPMorgan Chase Bank mailbox for the period from November 1, 2004 through September 30, 2005. I also obtained documents through discovery from Plaintiff and from non-parties, including her health care providers and the long-term disability carrier. Finally, I also obtained information through

various Internet searches that I performed. These constitute the sources of the documents referred to herein.

4. During the period from May 25, 2005 (when Plaintiff claims to have first received the job elimination letter and proposed General Release) through June 24, 2005 (the date when Plaintiff executed the General Release), Plaintiff continued to perform her duties regarding numerous home equity loans. During those twenty-two business days, Plaintiff sent more than 200 emails concerning various home equity loans that on which she was working. A true and correct copy of the list of all emails sent by Plaintiff from her work email account during that period is attached hereto as Def. Reply Ex. "1".

5. In her Declaration, Plaintiff asserts without reference to any source that she "learned that the 60-day period referred to in Lakhani's May 20 letter was extended, indefinitely, while I was on leave – I wasn't going to be terminated while on leave, and I shouldn't have had to sign the Release while out on leave." Pl. Dec. ¶ 18. Neither the May 20, 2005 job elimination letter nor the General Release, Def. Exs. "24" and "25", address this situation. In fact, as shown below, Plaintiff's statement is only partially correct, i.e., the termination of employment is suspended because of and until the employee returns from his/her leave status. However, the running of neither the sixty (60) day notice period nor the forty-five (45) day Release execution period is suspended by the existence of the leave.

6. When JPMorgan Chase Human Resources Business Partners conduct group position eliminations, as happened to the Home Equity Loan Officers (including Plaintiff) in 2005, they utilize a "Toolkit" to provide them with information regarding, and to guide them through, the process. The version of the Toolkit used in 2005 did not address what would happen if an employee went on leave after receiving a job elimination letter. However, the 2007 and

2008 versions of the Toolkit's "Severance Processing Qs&As" specifically address the issue "[i]f the employee receives a notice letter and then goes on a leave of absence, is the employee still eligible to receive severance pay benefits?" Both versions provide that "[t]he notice period will continue while the employee is on a leave of absence. If while on leave the 60-day notice period has been exhausted, the employee will remain on leave until the end of the approved leave. At the end of the leave (including those who are released from LTD), the employee will be terminated with severance provided the employee has executed the Release". True and correct copies of the relevant portions of the 2007 and 2008 Toolkits are attached hereto as Def. Reply Exs. "2" and "3".

7. On December 1, 2005, Plaintiff filed a Workers' Compensation claim in which she alleged that she first suffered a hip injury in December 2004, while working at a different branch, as a result of "extensive sitting 10-12 hours a day bending at the waist to work on a computer phone". A true and correct copy of that form is attached hereto as Def. Reply Ex. "4".

8. Plaintiff's medical records obtained during discovery from her chiropractor, Dr. Stephen Weinberg, show that Plaintiff first consulted him on April 12, 2004. A true and correct copy of Dr. Weinberg's records regarding Plaintiff is attached hereto as Def. Reply Ex. "5". Plaintiff apparently consulted Dr. Weinberg after she experienced tightness, a shooting pain in her right hip, and an inability to bend or flex during and after exercising. Id. at page 1. Dr. Weinberg appears to have made a diagnosis of a right sacroiliac sprain strain (shown as "R SI sprain strain." Id. at page 1. The record for that date includes a reference to Plaintiff's "L5/S1" discs, id., the same discs that Dr. Weinberg now states showed "degenerative change" when he saw Plaintiff on June 9, 2005. Weinberg Dec. ¶ 7.

9. On May 4, 2004, Dr. Weinberg completed a JPMorgan Chase Certification of Health Care Provider form regarding Plaintiff and the condition discussed in paragraph 8 herein for submission by her to the Bank. A true and correct copy of that form is attached hereto as Def. Reply Ex. "6". Dr. Weinberg responded to the question "Specify any other work restrictions that are medically necessary" by writing "No prolonged sitting; Ptn. should be given ergonomically correct chair". Id. at page 3.

10. Although Dr. Weinberg did not similarly specify in his February 23, 2005 letter that Plaintiff should be provided with an ergonomic standing desk and ergonomically correct chair, Def. Ex. "7", Plaintiff submits information regarding an "ergonomically designed standing desk" which she asserts "comes with a matched, ergonomically structured chair". Pl. Dec. ¶ 5 and Pl. Ex. "A". Not all standing desks, however, are adjustable ergonomic desks. According to Wikipedia, there are both "fixed height standing desks and ergonomic standing desks". A true and correct copy of a print-out regarding standing desks from Wikipedia is attached hereto as Def. Reply Ex. "7". Similarly, abledata.com identified a stand-up desk from Spectrum Industries and described it as having a "fixed desk height of 38". A true and correct copy of a print-out from abledata.com is attached hereto as Def. Reply Ex. "8".

11. With her Declaration, and in support of her contention that she was not provided with an "ergonomically structured chair", Plaintiff also submits five (5) photographs that she describes as showing her "sitting at the service desk I was assigned to, demonstrating the lack of support provided by the desk when I was sitting". Pl. Dec. ¶ 10 and Pl. Ex. "B". Plaintiff, however, failed to produce those photographs at any time during discovery, despite being requested to do so.

12. On June 4, 2007, Defendant served a request for production of documents on Plaintiff's attorney. In that Document Request, Definition 6 defined the term "document" to include "photographs", and at least five separate requests (Requests 17, 60, 64 and 65 and 73) required that Plaintiff produce the photographs now submitted by Plaintiff. A true and correct copy of the relevant portions of Defendant's Document Request is attached hereto as Def. Reply Ex. "9". Then, in August 2007, Plaintiff served her responses to Defendant's Document Requests and produced documents responsive to those requests. I have reviewed Plaintiff's production of documents and did not find any of the photographs submitted by Plaintiff. As is established by the accompanying affidavit of Melissa Celso, Plaintiff's photographs could not have existed until late December 2007 at the earliest.

13. In support of her contention that she complained to a number of people in April/May 2005 that the Customer Service Desk was inadequate, Plaintiff also has submitted Declarations from Diana Czuchta, Caroline Cumiskey, and Christopher Guerra. In her Rule 26 Disclosure Statement, Plaintiff, however, failed to identify any of these individuals.

14. On July 16, 2007, Plaintiff served her Rule 26 Disclosure Statement. A true and correct copy of Plaintiff's Rule 26 Disclosure Statement is attached hereto as Def. Reply Ex. "12". In that Disclosure Statement, Plaintiff did not identify either Diana Czuchta, Caroline Cumiskey, or Christopher Guerra as a person "likely to have discoverable information that the disclosing party may use to support her claims". Id.

15. Then, on August 24, 2007, Plaintiff served her Response to Defendant's First Set of Interrogatories. A true and correct copy of the relevant portions of Plaintiff's Response to Defendant's First Set of Interrogatories is attached hereto as Def. Reply Ex. "13". In that Response, Plaintiff did not identify either Caroline Cumiskey and Christopher Guerra as

“persons with knowledge or information concerning the facts and subject matter of this action”.

Id.

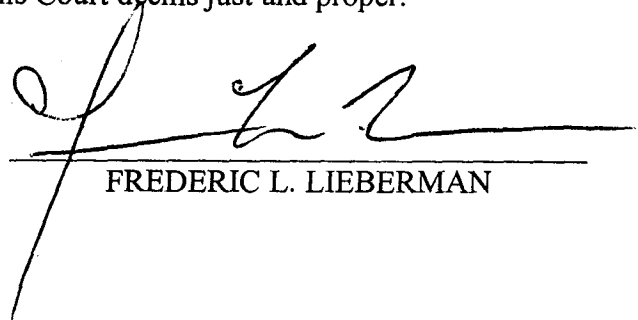
16. Finally, Plaintiff appears to suggest that on August 9, 2007 The Hartford terminated her long-term disability benefits wrongly and without any notice to her. Pl. Dec. ¶ 19. In fact, however, on June 15, 2007, Plaintiff’s attorney, Arthur Schwartz, wrote to The Hartford regarding Plaintiff’s possible return to work. A true and correct copy of that letter is attached hereto as Def. Reply Ex. “14”.

17. Then, on June 28, 2007, a representative of The Hartford spoke with Plaintiff and obtained from her the names of her health care providers who could assess her current condition. See Def. Ex. “34” at p. 4 Plaintiff identified Dr. Bryan Nestor and Dr. Richard Goldberg. Id. On July 10, 2007, Dr. Nestor responded to an inquiry by The Hartford by stating that Plaintiff was “now capable of performing” “light” full-time work. A true and correct copy of that letter is attached hereto as Def. Reply Ex. “15”.

18. On November 26 and December 7, 2007, Defendant took the deposition of Plaintiff Susan Pinsky. True and correct copies of cited pages from the transcript of that deposition are annexed hereto at tab “Pinsky Dep. Tr.”.

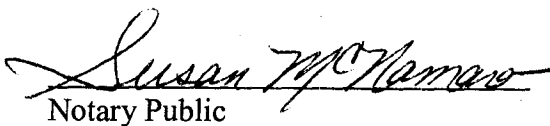
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WHEREFORE, Defendant respectfully requests that the Court (1) grant its motion for summary judgment; (2) dismiss this action in its entirety with prejudice; (3) find in favor of Defendant as to its counter-claims against Plaintiff; (4) grant Defendant its costs and attorneys' fees; and (5) grant such other and further relief as this Court deems just and proper.



FREDERIC L. LIEBERMAN

Sworn to before me this  
18<sup>th</sup> day of July, 2008



Notary Public

SUSAN McNAMARA  
Notary Public, State of New York  
No. 43-4836571  
Qualified in Richmond County  
Certificate Filed in New York County  
Commission Expires July 31, 2009

**Defendant's Reply Exhibit 1**

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Who	Date	Subject
✉ Jessica M. Lindner	05/24/2005	✉ docs for Flynn 051331321433
✉ marianne777	05/25/2005	TWCNYC: Your request for TENANT_TAKEOVER_FORM
✉ Patricia N Nadiak	05/25/2005	Re: 051051807073 N LAUFER, WILLIAM S
✉ Dee Lakhani	05/25/2005	Re: Mortgage LO
✉ Dee Lakhani	05/25/2005	Re: KHAN, NABEE 050741652093
✉ Jessica M. Lindner	05/25/2005	Re: 051331321433 FLYNN, STEVE
✉ Claude R Racine	05/25/2005	Re: Fw: Equity Line rate - ACAPS # 051331707473 - Can we save this?
✉ Luis Nin	05/25/2005	client
✉ John J Lauria	05/25/2005	Re: Doug Fenniman
✉ Dee Lakhani	05/25/2005	Re: Mortgage LO
✉ Imani K Tyler	05/25/2005	050741134503 AGARD, YVETTE A
✉ Marianne Santos	05/25/2005	Re: TWCNYC: Your request for TENANT_TAKEOVER_FORM
✉ Imani K Tyler	05/25/2005	Re: 050741134503 AGARD, YVETTE A
✉ Dee Lakhani	05/25/2005	Please change ECA
✉ Marianne Santos	05/25/2005	Re: TWCNYC: Your request for TENANT_TAKEOVER_FORM
✉ Marianne Santos	05/25/2005	Re: TWCNYC: Your request for TENANT_TAKEOVER_FORM
✉ Dee Lakhani	05/25/2005	Re: Mortgage LO
✉ Anonuevo, Grace	05/26/2005	Re: Flight?
✉ Lisa A. Lutrario	05/26/2005	CSA Assignment
✉ Curtis M Winder	05/26/2005	KLAGSBRUN, ELIYAHU M
✉ Curtis M Winder	05/26/2005	KLAGSBRUN, ELIYAHU M
✉ Keith Swanson	05/26/2005	Re: Fw: Help 050741652093
✉ John J Lauria	05/26/2005	fenneman
✉ Marie X Joseph	05/26/2005	✉ income docs for Larry Borchardt 051451237073
✉ Marie X Joseph	05/26/2005	✉ income docs for Larry Borchardt 051451237073
✉ David M Wade	05/26/2005	050831753453 DAMICO, DEBBIE A
✉ Sean N Conroy	05/26/2005	051231510163 ROLLINS, JANICE
✉ Diana M Czuchta	05/26/2005	Re: Diana M Czuchta is out of the office.
✉ susan.pinsky	05/26/2005	Your JetBlue E-tinerary
✉ Steven M Masciangelo	05/26/2005	Re: Please change ECA
✉ Jamie L Kearns	05/26/2005	RE: HELOC
✉ Bear, Barry	05/26/2005	RE: HELOC
✉ Jamie L Kearns	05/26/2005	RE: HELOC
✉ Kanwal Kumar	05/26/2005	Re: 051111601353
✉ Kanwal Kumar	05/27/2005	Re: These can close. Just need your extra punch
✉ Donna M. Verbridge	05/27/2005	✉ Account Executive - Wholesale Subprime-Delaware - 050025408
✉ Donna M. Verbridge	05/27/2005	✉ Account Executive - Wholesale Subprime-Delaware - 050025408
✉ Arturo D Hoyte	05/27/2005	GOROKHOVSKY, ALEXANDRA 051041125223
✉ Luis Nin	05/27/2005	Chris Webb
✉ Marie X Joseph	05/27/2005	051171833343 FRIEDRICKS, CLIFFORD
✉ Scott E Lippman	05/27/2005	got work?
✉ Arturo D Hoyte	05/27/2005	Re: GOROKHOVSKY, ALEXANDRA 051041125223
✉ Scott E Lippman	05/27/2005	4506
✉ william h biederman	05/27/2005	DUNLOP, HENRY C. 051181647333
✉ Jamie Dimon	05/27/2005	Vive la resistance

Who	Date	Subject
✉ jay.jrr	05/27/2005	Re: Oil & Gas
✉ Diana M Czuchta	05/27/2005	Re: 050831753453 DAMICO, DEBBIE A
✉ Diana M Czuchta	05/27/2005	Re: 050831753453 DAMICO, DEBBIE A
✉ Jamie Dimon	05/27/2005	Re: Vive la resistance
✉ Curtis M Winder	05/31/2005	📎 NewFax 2012449085 05/30/05 07:08:26 PM
✉ Curtis M Winder	05/31/2005	📎 NewFax 2012449085 05/30/05 07:08:26 PM
✉ Curtis M Winder	05/31/2005	HIMES, JAMES 050751728593
✉ William H Biederman	05/31/2005	Re: DUNLOP, HENRY C. 051181647333
✉ Mary Colandro	05/31/2005	050751728593 HIMES, JAMES
✉ Curtis M Winder	05/31/2005	Re: HIMES, JAMES 050751728593
✉ SIJW	05/31/2005	Re: URGENT - sabrina
✉ Matthew X Ramos	05/31/2005	📎 051461721273 MCNAMARA, PAUL E.
✉ Matthew X Ramos	05/31/2005	📎 051461721273 MCNAMARA, PAUL E.
✉ Susan X Pinsky	05/31/2005	📎 David Whipple Docs
✉ Susan X Pinsky	05/31/2005	📎 David Whipple Docs
✉ Dee Lakhani	05/31/2005	Booking Problems
✉ Luis Nin	05/31/2005	chris Webb
✉ Clifton D. Moss	05/31/2005	051462231263 VACHON-MARRIOTT, PEGGY
✉ Dee Lakhani	05/31/2005	standing desk
✉ Mary Colandro	06/01/2005	Re: 050751728593 HIMES, JAMES
✉ Steven M Masciangelo	06/01/2005	Re: Please change ECA
✉ Patricia N Nadiak	06/01/2005	📎 missing docs for Bill Laufer
✉ Patricia N Nadiak	06/01/2005	📎 missing docs for Bill Laufer
✉ Marie X Joseph	06/01/2005	BORCHARDT, LAWRENCE 051451237073
✉ Jessica M. Lindner	06/01/2005	📎 steve flynn 051331321433
✉ Jessica M. Lindner	06/01/2005	📎 steve flynn 051331321433
✉ Marie X Joseph	06/01/2005	📎 051451237073 Larry Borchardt
✉ Marie X Joseph	06/01/2005	📎 051451237073 Larry Borchardt
✉ howb2004	06/01/2005	Champion Juicer in Excellent Condition - \$75
✉ mulquet04	06/01/2005	2 JUICERS
✉ Curtis M Winder	06/01/2005	050741652093 KHAN, NABEE
✉ anon-76404422	06/01/2005	greatest dogwalker ever to walk dogs (ever)
✉ brklyndgwlr	06/01/2005	* Private Dog Walker with Openings Available *
✉ hld2102	06/01/2005	Reasonable and Individualized Dog-Walking and Animal-Sitting Services
✉ Dee Lakhani	06/01/2005	Re: standing desk
✉ Patricia N Nadiak	06/01/2005	📎 051051807073
✉ Patricia N Nadiak	06/01/2005	📎 051051807073
✉ Patricia N Nadiak	06/01/2005	📎 051051807073
✉ Patricia N Nadiak	06/01/2005	📎 051051807073
✉ Curtis M Winder	06/01/2005	📎 David Whipple Docs
✉ Curtis M Winder	06/01/2005	📎 David Whipple Docs
✉ Curtis M Winder	06/01/2005	051431452393 KLAGSBRUN, ELIYAHU M
✉ Kanwal Kumar	06/01/2005	A new app?
✉ Curtis M Winder	06/01/2005	050731832013
✉ Sean N Conroy	06/01/2005	051231510163
✉ Curtis M Winder	06/01/2005	051431452393

Who	Date	Subject
✉ Patricia N Nadiak	06/01/2005	Re: 051051807073
✉ ely.klagsbrun	06/01/2005	Greece Trip
✉ Luis Nin	06/02/2005	Re: chris Webb
✉ Pinsky, Ann	06/02/2005	Re: Jacket
✉ Curtis M Winder	06/02/2005	Re: 051431452393
✉ Klagsbrun, Ely	06/02/2005	RE: Greece Trip
✉ John J Lauria	06/02/2005	Re: Eli Klagsbrun, ACAP 051431452393
✉ Keith Swanson	06/02/2005	Re: Eli Klagsbrun, ACAP 051431452393
✉ Carly A Visca	06/02/2005	051231510163 Janice Rollins
✉ rollija	06/02/2005	Re: 051231510163 Janice Rollins
✉ Keith Swanson	06/02/2005	Klagsbrun
✉ hava@redjellyfish.r	06/02/2005	Re: Reasonable and Individualized Dog-Walking and Animal-Sitting Services
✉ Curtis M Winder	06/02/2005	Re: 051431452393
✉ Curtis M Winder	06/02/2005	050731832013 ACCETTA, JOSEPH J.
✉ Amy X Delbianco	06/02/2005	Update
✉ Rollins, Janice	06/03/2005	RE: 051231510163 Janice Rollins
✉ Marianne Santos	06/03/2005	Re: my email
✉ Amy X Delbianco	06/03/2005	Re: Update
✉ Marianne Santos	06/03/2005	Re: my email
✉ Jason A Birnbaum	06/03/2005	051232232223 Nfn INQ Dsp cap Next 051232232223 Loc 000000000000 PAULSON, RICHARD
✉ Diana M Czuchta	06/03/2005	RE: 051231510163 Janice Rollins
✉ Michelle S Cosgrove	06/03/2005	051531159313
✉ Marie X Joseph	06/03/2005	FRIEDRICKS, CLIFFORD
✉ Dee Lakhani	06/03/2005	My Last Day
✉ Marianne Santos	06/06/2005	Re: my email
✉ Amanda Baramki	06/06/2005	Re: greatest dogwalker ever to walk dogs (ever)
✉ susan.pinsky	06/06/2005	Re: greatest dogwalker ever to walk dogs (ever)
✉ SKroll2567	06/06/2005	Re: Fwd: Delivery Notification for <susanpinsky@jpmchase.com>
✉ Diana M Czuchta	06/06/2005	Re: 050831753453
✉ skroll	06/06/2005	My other email address
✉ Mary Colandro	06/06/2005	KHAN, NABEE
✉ Matthew X Ramos	06/06/2005	Please send me your fax number
✉ John J Lauria	06/06/2005	Re: Irina St. Germain
✉ Kimberley S Taylor	06/06/2005	ST. GERMAIN, RONALD 051131347323
✉ Mary Colandro	06/06/2005	Re: KHAN, NABEE
✉ Sondra M Mewborn	06/06/2005	051461029083 DIPATRI, OLGA
✉ Dee Lakhani	06/06/2005	Please change ECA to 828329
✉ Ilona X Koltonyuk	06/06/2005	RE: 051231510163 Janice Rollins
✉ Nilsa R Mateo	06/06/2005	DAMICO, DEBBIE A. 050831753453
✉ Nilsa R Mateo	06/06/2005	Re: DAMICO, DEBBIE A. 050831753453
✉ Shirley A. Johnson	06/06/2005	Please send me your fax number 051522231163
✉ Ilona X Koltonyuk	06/07/2005	RE: 051231510163 Janice Rollins
✉ Ilona X Koltonyuk	06/07/2005	RE: 051231510163 Janice Rollins
✉ Katrina A Morse	06/07/2005	✉ payoff letter for SUPRUN, PAUL 051381625523
✉ Marianne Santos	06/07/2005	Re: my email
✉ Clifton D. Moss	06/07/2005	✉ 051531733473 MANSON, ANTOINE

Who	Date	Subject
Patricia N Nadiak	06/07/2005	051522231163
Kimberley S Taylor	06/07/2005	051301031253 BURNS, MARA
Patricia N Nadiak	06/07/2005	Re: 051522231163
Kanwal Kumar	06/07/2005	Re: All approved apps. Need your skills to close
susan.pinsky	06/07/2005	O & G
Horace S Tseng	06/07/2005	051521719063 FIALLOS, HUGO
Matthew X Ramos	06/07/2005	Re: Please send me your fax number 051522231163
patrick_t_donohue	06/07/2005	Susan has forgotten you not
neal_shikes	06/07/2005	hello
John J Lauria	06/07/2005	Re: DAJCZAK, THOMAS ACAPS 051531205213
Marianne Santos	06/08/2005	Re: my email
Luis Nin	06/08/2005	051291756263 FREEMAN, MARK
Jason A Birnbaum	06/08/2005	PAULSON, RICHARD
John J Lauria	06/08/2005	050751707503 SCHWARTZ, JASON R
cliffon d. moss	06/08/2005	VACHON-MARRIOTT, PEGGY 051462231263
Curtis M Winder	06/08/2005	051471716523 WHIPPLE, DAVID A.
Jason A Birnbaum	06/08/2005	Re: PAULSON, RICHARD
Jason A Birnbaum	06/08/2005	Re: PAULSON, RICHARD
Lisa C Colella	06/08/2005	051462231263 VACHON-MARRIOTT, PEGGY
Jason A Birnbaum	06/08/2005	Re: PAULSON, RICHARD
Stephen P. Schneider	06/08/2005	Matt Ramos
Jason A Birnbaum	06/08/2005	LANDAUER, STEFFEN C.
Cliffon D. Moss	06/08/2005	Re: 051462231263 VACHON-MARRIOTT, PEGGY
Migdalia Centeno	06/08/2005	Debbie Babino
Luis Nin	06/08/2005	051531047383 CAMELLITI, FRANK
Jacqueline K Hunt	06/08/2005	Re: 051381625523 SUPRUN, PAUL ***Urgent***
Curtis M Winder	06/08/2005	Re: 051471716523 WHIPPLE, DAVID A.
John J Lauria	06/08/2005	Re: 050751707503 SCHWARTZ, JASON R
Jacqueline K Hunt	06/08/2005	Re: 051381625523 SUPRUN, PAUL ***Urgent***
Curtis M Winder	06/08/2005	Re: 051431452393
Curtis M Winder	06/08/2005	Re: 051441755063
John J Lauria	06/08/2005	Re: 051441755063
Michelle S Cosgrove	06/08/2005	051531127043 KLAGSBRUN, ELIYAHU
John J Lauria	06/08/2005	TD
Wunder X Liu	06/08/2005	051461721273 MCNAMARA, PAUL E.
Stephen P. Schneider	06/08/2005	051461721273 MCNAMARA, PAUL E.
Kanwal Kumar	06/08/2005	CASANOVA, LUIS
Herbert E Gregory lii	06/08/2005	RICHARDSON, PAUL W 051262023403
Narcisse I Mondesir	06/08/2005	RICHARDSON, PAUL W 051262023403
Michelle S Cosgrove	06/08/2005	Re: 051531127043 KLAGSBRUN, ELIYAHU
Herbert E Gregory lii	06/08/2005	Re: RICHARDSON, PAUL W 051262023403
Herbert E Gregory lii	06/08/2005	Re: RICHARDSON, PAUL W 051262023403

Who	Date	Subject
Herbert E Gregory Iii	06/08/2005	Re: RICHARDSON, PAUL W 051262023403
Ilona X Koltonyuk	06/08/2005	set up clos
Ilona X Koltonyuk	06/08/2005	set up clos
Jamie L Kearns	06/08/2005	question
Dee Lakhani	06/08/2005	Leave of Absence
Sondra M Mewborn	06/08/2005	051461029083 DIPATRI, OLGA
Donohue, Patrick (NYC-5AV	06/09/2005	Re: Susan has forgotten you not
Barbara Zimmer	06/09/2005	Re: Leave of Absence
Narcisse I Mondesir	06/09/2005	Re: RICHARDSON, PAUL W 051262023403
Patricia N Nadiak	06/09/2005	051051807073 LAUFER, WILLIAM S.
Lisa A. Lutrario	06/09/2005	Re:
Curtis M Winder	06/09/2005	David Whipple 051471716523
Elaine Y Burgess	06/09/2005	PATI, ANTHONY 051171120183
John J Lauria	06/09/2005	Re:
John J Lauria	06/09/2005	Re:
Elaine Y Burgess	06/09/2005	NewFax 9082728730 06/09/05 10:32:57 AM
Patricia N Nadiak	06/09/2005	Re: 051051807073 LAUFER, WILLIAM S.
david.kinney	06/09/2005	Chase Home Equity
Jessica M. Lindner	06/09/2005	051331321433 FLYNN, STEVE
Cliffon D. Moss	06/09/2005	051462231263 VACHON-MARRIOTT, PEGGY
Veronica A Ptaszek	06/09/2005	051541553593 KINNEY, DAVID T.
Horace S Tseng	06/09/2005	051521719063 FIALLOS, HUGO C. FIALLOS, AGNES C.
Luis Nin	06/09/2005	FREEMAN, MARK
Costena W Walker	06/09/2005	CAMELLITI, FRANK 051531047383
Elaine Y Burgess	06/09/2005	Re: PATI, ANTHONY 051171120183
Elaine Y Burgess	06/09/2005	PATI, ANTHONY
Kelly M. Thomas	06/09/2005	SCHAEFER, MITCHELL A 051541710213
Kanwal Kumar	06/09/2005	CASANOVA, LUIS A.
Horace S Tseng	06/09/2005	HARNARAIN, SETA D. 051581116583
Kanwal Kumar	06/09/2005	SWEENEY, WILLIAM E 051581718133
Michelle S Cosgrove	06/09/2005	051531127043
Horace S Tseng	06/09/2005	Re: HARNARAIN, SETA D. 051581116583
Michelle S Cosgrove	06/09/2005	Re: 051531127043
Diana M Czuchta	06/09/2005	Randall Amey
Curtis M Winder	06/09/2005	Fw: Joe Accetta
Elaine Y Burgess	06/09/2005	Re: PATI, ANTHONY
stephen g enderle	06/09/2005	051522231163
Angela C Lawyer	06/13/2005	Insurance Info PERCIA, JULIE 051540943073
Jamie L Kearns	06/13/2005	SELDEN, JAMES K. 051451449443
Arturo D Hoyte	06/13/2005	Please withdraw Application 051291756263
Costena W Walker	06/13/2005	Re: Need Outstanding Docs for CAMELLITI, FRANK # 051531047383
Susan X Pinsky	06/13/2005	Re: Matt Ramos

Who	Date	Subject
☐ Stephen P. Schneider	06/13/2005	Re: Matt Ramos
☐ Costena W Walker	06/13/2005	Re: Need Outstanding Docs for CAMELLITI, FRANK # 051531047383
☐ John J Lauria	06/13/2005	Melvin Williams
☐ Matthew X Ramos	06/13/2005	☐ Income Docs for GUTTMAN, SAMUEL 051131354483
☐ Kanwal Kumar	06/13/2005	PERCIA, JULIE
☐ Katrina A Morse	06/13/2005	Bill Laufer 051051807073
☐ Michael T Schroeder	06/13/2005	Re: Matt Ramos
☐ Michelle S Cosgrove	06/13/2005	051531159313 RENAUD-RIVERA, JACQUELINE
☐ Judy A Lork	06/13/2005	051541553593 KINNEY, DAVID T.
☐ Katrina A Morse	06/13/2005	☐ 04 ext letter for William Laufer 051051807073
☐ Errol A Kelly	06/13/2005	051051807073 LAUFER, WILLIAM
☐ Stephen P. Schneider	06/13/2005	Re: Matt Ramos
☐ Matthew X Ramos	06/13/2005	NALLY, THOMAS A. 051521819443
☐ Michelle S Cosgrove	06/13/2005	Re: 051531159313 RENAUD-RIVERA, JACQUELINE
☐ Nancy L Wixom	06/13/2005	051461732543 PASTERNAK, MICHAEL L
☐ Marianne Santos	06/13/2005	Re: apt. upstairs
☐ Costena W Walker	06/14/2005	051531047383
☐ Raymond J Pettine	06/14/2005	Re: NALLY, THOMAS A. 051521819443
☐ Jamie Dimon	06/14/2005	Goodbye for now
☐ Costena W Walker	06/14/2005	051531047383 CAMELLITI, FRANK
☐ Costena W Walker	06/14/2005	Re: Need Outstanding Docs for CAMELLITI, FRANK # 051531047383
☐ Patricia N Nadiak	06/14/2005	☐ lien payoff for William Laufer
☐ William L. Dreitlein	06/14/2005	max out to 500k >80%LTV
☐ John J Lauria	06/14/2005	05113134732 ST. GERMAIN, RONALD
☐ Diana M Czuchta	06/14/2005	AMEY, RANDALL L
☐ Herbert E Gregory lii	06/14/2005	Hey Herb
☐ Susan X Pinsky	06/14/2005	test
☐ Herbert E Gregory lii	06/14/2005	Re: Hey Herb
☐ Marianne Santos	06/14/2005	Re: apt. upstairs
☐ Elizabeth J Paul	06/14/2005	VACHON-MARRIOTT, PEGGY 051462231263
☐ lisa c colella	06/14/2005	051521719063
☐ Elizabeth J Paul	06/14/2005	Re: VACHON-MARRIOTT, PEGGY 051462231263
☐ susan.pinsky	06/14/2005	Re: Leave of Absence
☐ susan.pinsky	06/14/2005	Re: standing desk
☐ susan.pinsky	06/14/2005	Re: Standing Desk
☐ susan.pinsky	06/14/2005	Re: Standing Desk
☐ susan.pinsky	06/14/2005	Re: Standing Desk
☐ dorothy m breedlove	06/14/2005	fax # Please
☐ Kanwal Kumar	06/14/2005	Bill Laufer
☐ susan.pinsky	06/14/2005	Re: Standing Desk
☐ susan.pinsky	06/14/2005	Re: Standing Desk
☐ susan.pinsky	06/14/2005	Re: Standing Desk

Who	Date	Subject
✉ susan.pinsky	06/14/2005	Standing Desk
✉ Matthew X Ramos	06/14/2005	✉ Re: Income Docs for GUTTMAN, SAMUEL 051131354483
✉ Michelle S Cosgrove	06/14/2005	051531127043 KLAGSBRUN, ELIYAHU M.
✉ John J Lauria	06/14/2005	Re: fax # Please
✉ Kanwal Kumar	06/14/2005	Re: 051462231263 APPL VACHON-MARRIOTT, PEGGY 1601 JOHNSON AVE ;
✉ Kanwal Kumar	06/14/2005	Re: 051540943073 PERCIA, JULIE
✉ Michelle S Cosgrove	06/14/2005	Re: 051531127043 KLAGSBRUN, ELIYAHU M.
✉ Kanwal Kumar	06/14/2005	Re: 051571817153
✉ susan.pinsky	06/14/2005	✉
✉ Kanwal Kumar	06/14/2005	Re: 051221542473
✉ Costena W Walker	06/14/2005	Re: Need Outstanding Docs for CAMELLITI, FRANK # 051531047383
✉ Luis Nin	06/14/2005	Re: Need Outstanding Docs for CAMELLITI, FRANK # 051531047383
✉ Keith Swanson	06/14/2005	✉ Applicatoin list
✉ Kanwal Kumar	06/23/2005	Reactivate HELOC application
✉ Jennifer Reed	06/23/2005	Re: write to me please :)



**Defendant's Reply Exhibit 2**





**Severance Processing Qs&As**  
***For Human Resources Use Only***

**February, 2007**

**Q15 If the employee receives a notice letter and then goes on a leave of absence, is the employee still eligible to receive severance pay benefits?**

The notice period will continue while the employee is on a leave of absence. If while on leave the 60-day notice period has been exhausted, the employee will remain on leave until the end of the approved leave. At the end of the leave (including those who are released from LTD), the employee will be terminated with severance provided the employee has executed the Release.

**Defendant's Reply Exhibit 3**



**Severance Processing Qs&As**  
***For Human Resources Use Only***

**February, 2008**

**Q15 If the employee receives a notice letter and then goes on a leave of absence, is the employee still eligible to receive severance pay benefits?**

The notice period will continue while the employee is on a leave of absence. If while on leave the 60-day notice period has been exhausted, the employee will remain on leave until the end of the approved leave. At the end of the leave (including those who are released from LTD), the employee will be terminated with severance provided the employee has executed the Release.

**Defendant's Reply Exhibit 4**

STATE OF NEW YORK  
WORKERS' COMPENSATION BOARD

## EMPLOYEE'S CLAIM FOR COMPENSATION

IMPORTANT: Your Social Security Number Must Be Entered:

IMPORTANTE: El Numero de su Seguro Social Debe Ser Indicado:

538 94 74 65

ANSWER ALL QUESTIONS  
FULLY - PRINT OR TYPE  
CLEARLY

WCB Case No. (If known)

00546844

Carrier Case No. (If known)

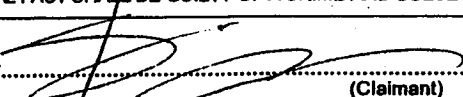
WC205-302350

A. Injured person	1. Name <u>SUSAN</u> <u>PINSKY</u> First Name                      Middle Name                      Last Name 2. Mailing Address <u>153 Carlfield Pl Apt 2L Brooklyn, NY 11215</u> Number and Street (include Apartment No.)                      City                      State                      Zip Code 3. Sex <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female      Date of Birth <u>07/17/68</u> Telephone No. <u>(917) 676-8556</u> 4. Do you speak English? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No      If no, what language do you speak? 5. Name of union and local number, if member 6. State what your regular work/occupation was <u>Home Equity Loan Officer</u> 7. Wages or average earnings per day, including overtime, board, rent and other allowances 8. Were you paid full wages for the day of injury? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 9. Your work week at time of injury was: <input checked="" type="checkbox"/> Five day <input type="checkbox"/> Six day <input type="checkbox"/> Seven day <input type="checkbox"/> Other
B. Employer(s)	1. Employer <u>JP Morgan Chase</u> Telephone No. ( ) 2. Employer's Address <u>55 Water St NY, NY</u> 3. Were you employed by any other employer or employers at the time of your injury/illness? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 4. If yes, did you lose time from work at this other employment as a result of your injury/illness? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
C. Place/Time	1. Address where injury occurred <u>Chase Bank, 27th &amp; Park County New York</u> 2. Date of Injury <u>Dec. 2004</u> at      o'clock, <input type="checkbox"/> AM <input type="checkbox"/> PM
D. The Injury	1. How did injury/illness occur? <u>From extensive sitting 10-12 hrs a day bending at the waist to work on a computer and phone.</u>
E. Nature and Extent of Injury/ Illness	1. State fully the nature of your injury/illness, including all parts of body injured <u>fear and cyst in lining of left hip, lower back pain, herniated &amp; bulging discs</u> 2. Date you stopped work because of this injury/illness? <u>June 10th 2005</u> 3. Have you returned to work? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No      If yes, on what date? 4. Does injury/illness keep you from work? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 5. Have you done any work during period of disability? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 6. Have you received any wages since your injury/illness? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
F. Medical Benefits	1. Did you receive or are you now receiving medical care? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 2. Are you now in need of medical care? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 3. Name of attending doctor <u>Dr. Brian Nestor</u> <u>Dr. David Mayman</u> Doctor's address 4. If you were in a hospital, give the dates hospitalized <u>Scheduled for surgery Feb 2005</u> Name of hospital <u>Hospital for Special Surgery</u> Hospital's Address <u>535 East 70th St NY NY</u>
G. Comp. Payments	1. Have you received or are you now receiving workers' compensation payments for the injury reported above? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 2. Do you claim further workers' compensation payments? <input type="checkbox"/> Yes <input type="checkbox"/> No
H. Notice	1. Have you given your employer (or supervisor) notice of injury? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No 2. If yes, notice was given <input checked="" type="checkbox"/> orally <input type="checkbox"/> in writing, on <u>02/2005</u> to <u>Barbara Zinner</u>

I hereby present my claim to the Chair, Workers' Compensation Board, for compensation for disability resulting from an accidental injury or occupational disease arising out of and in the course of my employment and not occasioned by my willful intention or solely through intoxication, and in support of it I make the foregoing statement of facts.

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD PRESENTS, CAUSES TO BE PRESENTED, OR PREPARES WITH KNOWLEDGE OR BELIEF THAT IT WILL BE PRESENTED TO, OR BY AN INSURER, OR SELF INSURER, ANY INFORMATION CONTAINING ANY FALSE MATERIAL STATEMENT OR CONCEALS ANY MATERIAL FACT SHALL BE GUILTY OF A CRIME AND SUBJECT TO SUBSTANTIAL FINES AND IMPRISONMENT.

Signed by



(Claimant)

Dated

Dec. 13 2005

SEE OTHER SIDE FOR IMPORTANT INFORMATION - VEASE AL DORSO PARA INFORMACION DE IMPORTANCIA

THE WORKERS' COMPENSATION BOARD EMPLOYS AND SERVES PEOPLE WITH DISABILITIES WITHOUT DISCRIMINATION.  
LA JUNTA DE COMPENSACION OBRERA EMPLEA Y SIRVE A PERSONAS INCAPACITADAS SIN DISCRIMINAR.

**Defendant's Reply Exhibit 5**



7/17/68

HCC

LAST NAME

Pinsky

FIRST

Susan

CASE #

582

REFERRED BY:

Book

DATE OF BIRTH

ADDRESS

241 Bnd Ave NYC 10003

M.O.P.

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IA

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REC:

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515

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PATIENT'S NAME: Susan Rinsky

REFERRED BY:

CHIEF COMPLAINT: sprained L4/L5 in hip (R) pt points to (R) SI & glute area.  
exercised @ gym, tight for 100 days. then felt shoot  
in hip can't walk. doing pull ups @ gym  
felt it during stretching but still felt tightnow can't flex forward or to the sidetried naproxen & cyclo-oxygenase it works,previous episode but in upper back,child previouslymn - legs @ gym  
all 5/5 @ gym caused @ SI  
inVLT - 2 multi, omega, ~~very~~ Acidophils,Headache, Vertigo,  
Burning Eyes, Loss of  
Memory & Concentra-  
tion, Depression,  
Decreased Energy,  
Buzzing/Ringing, Low  
Resistance

PREV. CHIROPRACTIC CARE:

ACCIDENTS: FALLS:

SURGERY? MEDICATION? X-RAYS?

OTHER HEALTH PROBLEMS:

FAMILY ILLNESS?

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515

## CHIROPRACTIC EXAMINATION

	L	R
Posture Analysis		
Head Tilt		
Ear High on		
Apparent Cervical curvature		
Cervical muscle tension		
Shoulder high on		
Apparent thoracic curvature		
Thoracic muscle tension		
Apparent lumbar curvature		
Lumbar muscle tension		
Ankle high on		

L ☐ R ☐ HANDED

1. DYN	1	2	3	4
2. DYN	1	2	3	4
3. DYN	1	2	3	4

Height

Weight

Dobson Scale

1. Total L R

2. Total L R

B/P

Cervical

L4/L5 (R) Leg not tingling

then @ gym

other WNL @ gym

DATE  
Standing  
Cervical Range of Motion

Flex 45°

Ext 45°

L/R 60°

R/R 60°

L/R 15°

R/R 45°

PCT L

PCT R

Lumbar Range of Motion

Flex 40°

Ext 30°

L/R 30°

R/R 30°

L/R 30°

R/R 30°

Sagittal

Neck W. (cm)

Neck W. (cm)

Adson's

Translating

Rotating

Kemp's

Kemp's

Adams

S. Perthes

Prone

DYN

Tender

Shoulder

Chest

Tender

Tender

Tender

Tender

Tender

Tender

DATE

Supine

Lasegues L

Lasegues R

Psoas

Pat. Fab. L

Pat. Fab. R

Bragard's L

Bragard's R

Soto Hall

Jery. Fix

Unders

Gaenssens L

Gaenssens R

Sitting

S.P.

Pulse

Heart

Lungs

Deep Reflexes

Triceps

Patella

Biceps

Achilles

Ankle

Sphincter

COP

COP

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COP

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COP

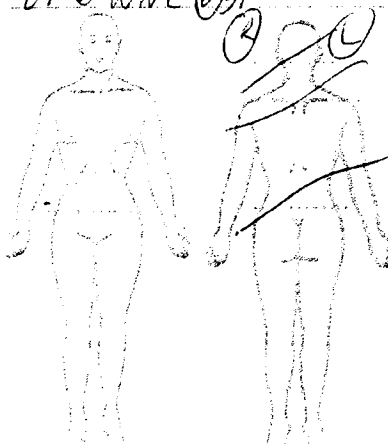
COP

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can't flex feet  
stand ok.TO explain (R) leg  
30 NUTS AS MUCH.  
30 PAIN  
10 PAIN RIGHT AWAYneg  
(+) (+)

X-Ray Views Desired

Cervical Series

Thoracic AP Lateral Other

Lumbar AP Lateral R/LT Oblique

Lateral Ext. Flex

AP R/LT Oblique

## SENSORY EXAM:

Hypoaesthesia

Hyperaesthesia

Dermatome Level

VIBES EXAM:

Vibration

Ant. Dr. Ext. High

Post. Dr. Ext. High

Tact. Stethic

## TREATMENT RECORD

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515

Patient's Name

SUSAN PINSKY

DATE			PROGRESS CHART/DAILY RECORD	TREATMENT PROVIDED/SPECIFIC BODY AREA
MO.	DAY	YR.		
5	10	04	SIG RELIEF SINCE LAST ADJ.	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) WMT (GLS, ICS); TM; T-6 (P); T-10 (P); RP; CTM (SW)
6	10	04	SOME LBP AFTER WORKING @ AT Gym w/ ADDUCTOR MACH.	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) WMT (P) GLS, TFC; TM; T-6 (P); RP; CTM (SW)
2	17	05	ACUTE LBP / MYOSPASM EXACB'D BY EXTENDING PERIODS OF STANDING	II/R/P; ICE/US (L/S SP, STJ 20% 1.5 w/c) TM; STJ MOB; LAS/RP; CTM; BLPSONS PERMANENT
2	23	05	SIG IMPROVEMENT	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; STJ MOB B/L; WMT (P) ICS; CTM (SW)
3	2	05	DOING WELL	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; STJ MOB B/L; WMT (P) ICS; CTM (SW)
3	9	05	DISCHARGED	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; T-6 (P); LAS; CTM; C-6 (CR) (SW)
3	11	05	SUDDEN ONSET OF ACUTE BACK PAIN AFTER SITTING IN POOR POSTURE LAST NIGHT	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; STJ MOB B/L; RP/LAS; CTM (SW)
3	14	05	IMPROVING, BUT STILL SYMPTOMATIC	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; RP/LAS; CTM; C-6 (CR) (SW)
3	31	05	LBP	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; STJ MOB B/L; RP/LAS; CTM (SW)
6	9	05	PTN HAD MR. T without REVEALING HNP OF L-5, w/ CENTRAL DISC PROTRUSION, BUT NO MN. COMPRESSION CLINICALLY HAVING LBP, PAIN ON L SIDE;	I/R/P; H <sub>2</sub> O/ICE (LB, 15-80-150) TM; STJ MOB B/L; RP/LAS; CTM (SW)
7	18	05	④ HNP/CLINICAL PAIN "TIGHT" PAINFUL; EXACB'D BY SITTING 5-15 MIN @ ONE TIME; PTN TO SEE PHYSICIAN NEXT WK.	④ TROCH BURSA TENDON TO DIGITAL PRESSURE (LT); ICE/US (20% 1.25 w/c TO C) TROCH BURSA; TM; STJ MOB B/L; CTM (SW) ICE/REST; PTN ASKED ABOUT NSAD

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515 TRE

DATE			PROGRESS CHART/DAILY RECORD	TREATMENT PROVIDED/SPECIFIC BODY AREA
MO.	DAY	YR.		
8	15	05	LBP 2° TO BULGING DISC AT L5-S <sub>1</sub> LEVEL; PTN TO SEE SPECIALIST @ HSS FOR CONSULT ON (L) Hip Pain;	Flex Pos   ICE   US (20% / 15 min) to L/S Sp; MOD'N FLEX/DIST (3X/5) TO U/S INCT; Tm
6	29	07	PTN. HAD SURGICAL REPAIR OF (L) Hip 4/6/07 (OSTEOPHYTE, CYST, LABRAL TORN); LBP	IT/RH; ICE/US (20% / 15 min) to L/S Sp; Tm; SAC/SIJ NKS (S)
7	18	07	LBP	IT/RH; ICE/US (20% / 15 min) to U/S Sp; Tm; SAC/SIJ NKS (S)



Magnetic Resonance Imaging  
530 First Avenue  
New York, NY 10016

Reports: (212) 263-7059  
Fax: (212) 263-8186

Phone: (212) 263-7195  
Appointments: (212) 263-8868

REUBEN INGBER, MD (LEX AVE)  
285 LEXINGTON AVENUE #2  
NEW YORK, NY 10016

Re: Pinsky, Susan  
DOB: 17-Jul-1968  
Dept No: D05013400  
Acc: 2871178  
DOS: 3-Jun-2005

Dear Doctor :

The following is a radiologic consultation on your patient:

MRI LUMBAR SPINE W/O CONTRAST/NI Completed on: 3-Jun-2005

Clinical history: low back pain.

Sagittal and axial T1 weighted and T2 weighted images were obtained.

The osseous structures are intact without evidence of fracture or dislocation. The alignment is normal. There is loss of disc signal at L5-S1 with a bulge and a central disc protrusion. There is no thecal sac compression. The remaining disc space levels show no evidence of bulge or herniation. There is no soft tissue mass or cone abnormality.

Impression:

Degenerative change at L5-S1 with a central disc protrusion.

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515

Thank you for referring this patient for consultation.

Sincerely yours,

ANDREW LITT, MD

T09:MI 3-Jun-2005

Finalized on: 3-Jun-2005 /MI

This report has been  
electronically signed



**Defendant's Reply Exhibit 6**

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515



# JPMorganChase

## CERTIFICATION OF HEALTH CARE PROVIDER

**Section I. This form is to be used for an employee's illness or injury of less than eight calendar days and for family illnesses.**

Employee's Name: (First, M.I., Last)		GID No.	Hire Date:	Cost Center No.
Susan X Pinsky		U474707	10/02	0008
Job Title Home Equity Loan Officer	Department: Chase Home Finance	Location 386 Park Ave. South	Telephone No. 212-481-0612	
Manager's Name Anthony Daperis		Location 1 CMP	Telephone No. 212-552-7213	
HR Generalist's Name: Burton Smallwood		LOCATION: 343 Thornall St. 8fl. Edison, NJ 08837	Telephone No. 732-205-8502	
Reason For Leave: Stretched right side of Sacrum Iliac				
<b>Authorization and Release:</b> I authorize the physician or health care provider to release the information requested below to J.P. Morgan Chase. I also authorize J.P. Morgan Chase's Health Services professional to contact the physician or health care provider to clarify and/or verify the medical certification.				
Employee's Signature			Date	

## Section II. To be Completed by Health Care Provider and updated upon request.

Patient's Name: (Please indicate full name.) <b>MS. SUSAN PINSKY</b>	If patient is a family member of the employee, indicate the patient's relationship to the employee. <input type="checkbox"/> Parent <input type="checkbox"/> Spouse <input type="checkbox"/> Child <input type="checkbox"/> Other _____ _____ indicate relationship if Other is checked
The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's condition qualify under any of the categories described? If so, please check the applicable category: (1) _____ (2) _____ (3) _____ (4) _____ (5) _____ (6) _____; or None of the Above _____	
<b>Describe the medical facts</b> which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories. <b>PTN. HAD ACUTE LBP/MYOSPASM 2° TO ACUTE SPRAIN OF THE RIGHT SACROILIAC JNT. SHE WAS ADVISED TO REMAIN AT HOME AND SEEK BEDREST TO AVOID WORSENING/FURTHER INJURY; AND IN HER RECOVERY</b>	
Specify Date Condition First Began: <b>4/11/04</b>	Probable Duration of Condition or Present Incapacity (if different): <b>4/30/04</b> (Specify End Date)

*Susan Pinsky*

Is inpatient hospitalization of the patient required?

☒ No☐ Yes

From: \_\_\_\_\_

To: \_\_\_\_\_

Stephen S. Weinberg, DC  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515



*Susan Penney*

Stephen S. Weinberg, D.O.  
50 Lexington Ave., Suite LL3  
New York, NY 10010  
(212) 995-1515

**Treatment Prescribed** (Indicate time frame during which the patient will be under supervision, including a schedule of visits, medications prescribed, the general nature and duration of treatment and referrals to other providers of health services.)

Estimated or Actual Number of Treatments: 12 Intervals Between Treatments: 1-2 DAYS INITIALLY  
Dates of Treatment: 9/12/04, 13, 16, 19, 22, 29/04; 5/4/04 Recovery Period After Treatment: 1-2 M.O.S.

**Section III. To be completed by Health Care Provider if patient is the employee.**

Specify the first date employee was unable to work: 9/12/04

Specify the date employee will be able to perform the functions of his or her position (Please answer after discussing with the employee the essential functions and work schedule of the position held.) 9/20/04

If it is necessary for the employee to work intermittently or less than full schedule as a result of the condition, please give specifics and duration:

NIGHT NECESSARY FOR PTN. TO WORK INTERMITTENTLY AFTER RETURNING TO WORK ON 9/20/04 FOR UP TO 1 WEEK.

Specify any other work restrictions that are medically necessary: NO PROLONGED SITTING; PTN. SHOULD BE GIVEN ERGONOMIALLY CORRECT CHAIR.

Specify how long these restrictions will be required: UP TO 1 MONTH

**Section IV. To be completed by Health Care Provider if patient is the employee's parent, spouse, child or other immediate family member.**

After review of the employee's signed statement in Section I regarding "Reason for Leave", advise if the employee's presence is necessary or whether it would be beneficial for the care of the patient? (This may include psychological comfort.)

N/A

Specify dates employee's presence is needed to care for the patient: From: \_\_\_\_\_ To: \_\_\_\_\_

Specify dates your patient is unable to work, attend school or perform other regular activities: From: \_\_\_\_\_ To: \_\_\_\_\_

If the patient will need care intermittently or on a part-time basis, please indicate probable duration of this need: From: \_\_\_\_\_ To: \_\_\_\_\_

**Section V. To be completed by Health Care Provider.**

Physician's or Practitioner's Name: <u>DR. STEPHEN WEINBERG</u>		Physician's or Practitioner's Signature: <u>[Signature]</u>	
Address: <u>160 3<sup>rd</sup> AVE #1C NY, NY 10003</u>		Telephone No. <u>(212) 995-1515</u>	
License No.: <u>NY X005201</u>	Date: <u>5/4/04</u>	Type of Practice: (Field of Specification, if any) <u>CHIROPRACTIC</u>	

Completed form should be sent to the J.P. Morgan Chase Health Services location indicated on Page 4 within 15 days of the time the certification is requested. Medical Certification may need to be renewed upon request to support the continued need for time off.

**Defendant's Reply Exhibit 7**

# Standing desk

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From Wikipedia, the free encyclopedia

A **standing desk** is both an antique desk and a modern desk form conceived for writing and/or reading while standing up or while sitting on a high stool. The term stand-up or stand up desk is also used. Standing desks were popular in the homes and offices of the rich, during the 18th century and much of the 19th.

While most modern desks are 30 inches (76 cm.) high and most antique desks 29 inches high (73.7 cm), there is no such average for standing desks. Users of a "sitting desk" are fairly immobile so it is relatively easy to adjust the height of a seat to compensate for variations in the individual height of the users. Users of a standing desk move around a bit more, so it is not practical to have them stand on a small pedestal or some other object. Thus, standing desks tend to vary greatly in height.

It was common in the past to have a standing desk made to measure to the height of the user, since only the rich could afford desks. One way to go around this problem a bit, when one had many users for a single desk, was to give an angle or slant to the writing surface, as was common on the typical drawing table. The other alternative, to produce a desk with adjustable legs, was less popular, but it was frequent enough to give birth to a precise desk form, the "table à tronchin" or "table à la tronchin".

The modern solution is presently found in the ergonomic standing desk, which can be adjusted to the height of most standing persons, and offers other possible adjustments, as is the case for a typical ergonomic desk.

Manufacturers of fixed height standing desks and ergonomic standing desks point to several studies showing reduced back injuries or less back pain for the users of standing desks.

Most standing desks have an open frame with few or little drawers, and a footrail (similar to those seen at a bar) to reduce back pain. It is more practical to make a hinged desktop which can be lifted to give access to a small cabinet placed underneath it, despite the problems this layout can cause to objects left on it. This way the user can store or retrieve papers and writing implements without bending or standing back from the desk.

There are many specialized standing desks such as certain variations of the telephone desk and certain types of wall mounted desks.

## See also

- List of desk forms and types

## References

- Charron, Andy. Desks: Outstanding Projects from America's Best Craftsmen. Taunton press, 2000. pp. 108-123.
- Moser, Thomas. Measured Shop Drawings for American Furniture. New York: Sterling Publishing Inc., 1985.

Retrieved from "[http://en.wikipedia.org/wiki/Standing\\_desk](http://en.wikipedia.org/wiki/Standing_desk)"

Categories: Desks



Former U.S. Secretary of Defense Donald H. Rumsfeld works at a standing desk

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**Defendant's Reply Exhibit 8**

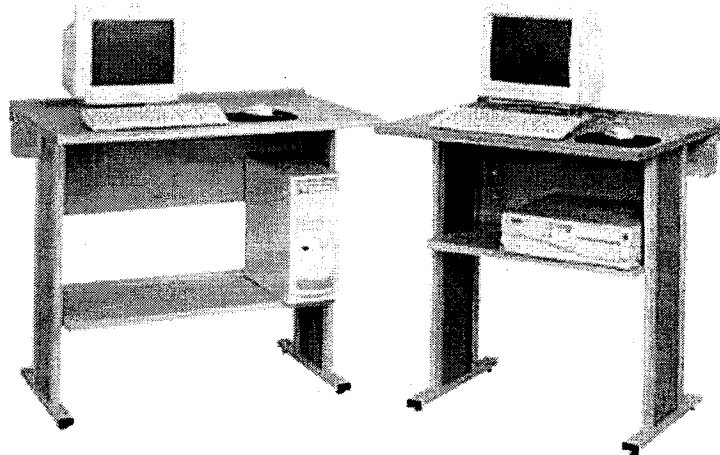
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## STAND-UP DESK

The Stand-Up Desk is a computer work station designed for individuals who stand at a workstation. This desk has a scratch-resistant work surface with a smooth, rounded solid oak front edge and an oak chair rail, which prevents hardware from sliding off. It features a hinged flip-top door that runs the full length of the work surface for access to the cable management system and one standard shelf that can be positioned even with the modesty panel bottom or 12.5 inches off the floor. **OPTIONS:** Additional shelf. **DIMENSIONS:** Fixed desk height is 38 inches. Desks available in either 36 or 44 inches wide and 30 inches dep. **COLORS:** Oak and putty.

**Notes:****Price:** Contact Manufacturer.**Price date:** MAY 2006.**This product is available from:****Manufacturer:**Spectrum Industries Inc.

1600 Johnson Street, PO Box 400

Chippewa Falls, Wisconsin 54729

United States

Telephone: 800-235-1262.

Fax: 800-335-0473 Fax.

Web:

<http://www.spectrumfurniture.com>.

Email:

[spectrum@spectrumfurniture.com](mailto:spectrum@spectrumfurniture.com).**Submit Consumer Content**✧ [Review this product.](#)

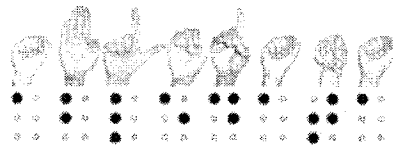
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#### See Related Products

- ✧ [Raised Desk](#) (2)
- ✧ [Computer Work Center](#) (34)



ABLEDATA, 8630 Fenton Street, Suite 930, Silver Spring, MD 20910. 1-800-227-0216.

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